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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,840	01/14/2004	Vincent Wen-Jeng Lue	6154-01	5096

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EXAMINER
HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
2178	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	**Application No.** 10/757,840	**Applicant(s)** LUE, VINCENT WEN-JENG	
	Examiner Cong-Lac Huynh	**Art Unit** 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*14 January 2004*</u>.

2a)☐ This action is **FINAL**.　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-62* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,6-17,21-28,38-42,44-46,49-51,61 and 62* is/are rejected.

7)☒ Claim(s) *4,5,18-20,29-37,43,47-48 and 52-60* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 January 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some *　c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *7/22/05*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

1.   This action is responsive to communications: the application filed on 1/14/04,

domestic priority filed 1/27/03.

2.   Claims 1-62 are pending in the case. Claims 1 and 40 are independent claims.

Claim Objections

3.   Claim 2 is objected to because of the following informalities: the "note" within "at

least one child note" (line 3) is misspelled. It should be "node."

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

5.   Claims 6-17, 21-28, 44-46, 49, 51 are rejected under 35 U.S.C. 112, second

paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention.

Regarding claim 6 (and its corresponding computer readable medium claim 44), it is

unclear how to complete the document tree from the content element tree constructed

from a subset of the document element list and all remaining document elements not in

said subset. Since the document is a structured document, the elements of the

documents relate to each other hierarchically. Completing the document tree based on

a subset tree and all remaining document elements not in the subset seems

unreasonable since how each node of said document element tree is associated with a

single document element or two paired document elements from said document

element list where these elements may be not in the subset and at a level higher than

the level of the elements in the subset.

Dependent claims 7-17, 21-28 (and their corresponding computer readable claims 45-

46, 49, 51) are rejected for fully incorporating the deficiencies of their base claim 6.

6.   Claim 6 recites the limitation "said document element tree" in line 5. There is

insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

8.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

9.   Claims 1-3, 25, 38-42, 50, 61-62 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Richard (US 2002/0073119, 6/13/02, filed 7/11/01).

Regarding independent claim 1, Richard discloses:

-   building a document tree from said source structured document ([0041]-[0042],

    [0046]-[0047])

-   generating a plurality of new document trees from said document tree such that

    said new document trees are ordered and hierarchically linked ([0035], [0049],

    [0085]: tree-to-tree conversion shows generating a tree from one tree where it is

    clear such a document tree is ordered and hierarchically linked)

-   each node of the document tree satisfying the constraints for each of new

    document trees ([0087], [0077])

-   producing, from each new document tree, one structured data such that it is

    suitable for input to said browser ([0096], [0097], [0021], figure 2: writing the

    output document for different devices such as a phone or a computer from the

    document trees shows producing one structured data suitable for input to

    different browsers)

- node-to-node transformation of the nodes in the trees of the input document and

   output document ([0073] where data for displaying on a desktop can be

   translated to be displayed on a phone ([0069])

Richard does not disclose:

- scaling sizing attributes of each tree node of said new document trees

However, it would have been obvious to one of ordinary skill in the art at the time of the

invention was made to have modified to include the feature of scaling sizing attributes of

each tree node of said new document trees since different target devices have different

display sizes. Thus, converting data for displaying on different display screens of

different sizes with node-to-node transformation suggests to adjust the sizes of the data

to be suitable to the display screen sizes. In other words, said converting suggests

scaling the sizing attributes of each tree nodes of the document tress.

Regarding claim 2, which is dependent on claim 1, Richared discloses that each of said

document trees further comprises only one root node and more than one leaf nodes,

each said node except the root node has one and only one parent node and each said

node except the leaf node has at least one child node (figure 6).

Regarding claim 3, which is dependent on claim 1, Richard discloses that each of said

leaf nodes of said new document trees belongs to one and only one of said new

document trees (figures 6-7).

Regarding claim 25, which is dependent on claim 1, Richard discloses that the markup

language is HTML ([0034], [0048]).

Regarding claim 38, which is dependent on claim 1, Richard discloses that said

structured data is a structured document in a second markup language ([0069]: the

WML tags are structured data of document in a second markup language).

Regarding claim 39, which is dependent on claim 1, Richard discloses that said browser

device is palmtops, PDAs or data-enabled cell phones wirelessly connected with a small

display areas and processing capacities ([0069]).

Claims 40-42, 50, 61-62 are for a computer readable medium of method claims 1-3, 25,

38-39, and are rejected under the same rationale.

Allowable Subject Matter

10.   Claims 4-5, 18-20, 29-37, 43, 47-48, 52-60 are objected to as being dependent

upon a rejected base claim, but would be allowable if rewritten in independent form

including all of the limitations of the base claim and any intervening claims.

Conclusion

11.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Ju et al. (US 5,845,125). Viets et al. (US 6,640, 307). Parghi et al. (US 6,396,495).

Card et al. (US 6,646,652). Burkett et al. (US 6,678, 889).

Popp et al. (US 2005/0081142). Card et al. (US 2002/0118214).

Feigenbaum et al. (US 2006/0005174). Uchiyama et al. (US 2004/0044963).

Maeda et al. (US 2004/0064475). James et al. (US 2004/0205694).

Xie et al. (US 2005/0071364). Linden et al. (US 2005/0228787).

Michalewicz et al. (US 2002/0065857). Peltonen et al. (US 2002/0083054).

Popp et al. (US 2002/0133637). Musson et al. (US 2005/0108732).

Abiteboul et al., Compact Labeling Schemes for Ancestor Queries, ACM January 2001,

pages 547-556.

Eddy et al., An Algorithm for Efficiently Generating Summary Paragraphs Using Tree-

adjoining grammar, ACM July 2001, pages 1-8.

12.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-

4125. The examiner can normally be reached on Mon-Thurs (9:00-7:00).

.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Cong-Lac Huynh
Primary Examiner
Art Unit 2178
1/23/07